

October 13, 2003

Re: Medical Dispute Resolution  
MDR #: M2-03-1783-01  
IRO Certificate No.: 5055

In accordance with the requirement for TWCC to randomly assign cases to IROs, TWCC assigned your case to \_\_\_\_ for an independent review. \_\_\_\_ has performed an independent review of the medical records to determine medical necessity. In performing this review, \_\_\_\_ reviewed relevant medical records, any documents provided by the parties referenced above, and any documentation and written information submitted in support of the dispute.

The independent review was performed by a matched peer with the treating health care provider. Your case was reviewed by a physician who is Board Certified in Spinal Surgery.

**Clinical History:**

The patient is a 39-year-old male who was injured on \_\_\_\_\_. He underwent a right L3-4 micro lumbar laminectomy and decompression in September 2000. He presented back to his physician in January 2003 with numbness in the right foot and pain radiating down the right thigh, but repeated neurological exams revealed him to be intact. He continued to see his physician in the clinic who noted the patient had persistent back pain. MRI scan of the lumbar spine dated March 2003 revealed degenerative changes at all levels of the lumbar spine with facet arthrosis at L2-3, L3-4, L4-5, and L5-S1. Findings also included a far lateral foraminal herniated disk on the right at L3-4 and stenosis of the right neuroforamen and lateral recess there.

**Disputed Services:**

Proposed repeat Lumbar CT Scan.

**Decision:**

The reviewer agrees with the determination of the insurance carrier in this case. The services in dispute are not medically necessary.

**Rationale:**

MRI in March 2003 shows that this patient has degenerative changes throughout his lumbar spine and facet arthrosis at numerous levels in his lumbar spine, and, therefore, has numerous potential causes of back pain. The patient's treating physician requested a CAT scan of the lumbar spine to determine if he has a fracture in the pars interarticularis region. The presence of such a lesion in the face of all the findings on his MRI scan is of little clinical significance. Furthermore, the MRI scan detected no such pars fracture.

I am the Secretary and General Counsel of \_\_\_\_ and I certify that the reviewing physician in this case has certified to our organization that there are no known conflicts of interest that exist between him and any of the treating physicians or other health care providers or any of the physicians or other health care providers who reviewed this care for determination prior to referral to the Independent Review Organization.

We are simultaneously forwarding copies of this report to the payor and the Texas Workers' Compensation Commission. This decision by \_\_\_\_ is deemed to be a Commission decision and order.

### **YOUR RIGHT TO REQUEST A HEARING**

Either party to this medical dispute may disagree with all or part of this decision and has a right to request a hearing.

**If disputing a spinal surgery prospective decision** a request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings **within ten (10) days** of your receipt of this decision (28 Tex. Admin. Code 142.5©).

**If disputing other prospective medical necessity** (preauthorization) decisions a request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings **within twenty (20) days** of your receipt of this decision (28 Tex. Admin. Code 148.3).

This Decision is deemed received by you **five (5) days** after it was mailed (28 Tex. Admin. Code 102.4(h) or 102.5 (d)). A request for a hearing should be sent to:

Chief Clerk of Proceedings  
Texas Workers' Compensation Commission  
P.O. Box 40669  
Austin, TX 78704-0012

A copy of this decision should be attached to the request. The party appealing the decision shall deliver a copy of its written request for a hearing to all other parties involved in the dispute.

I hereby verify that a copy of this Independent Review Organization (IRO) Decision was sent to the carrier, the requestor and claimant via facsimile or U.S. Postal Service from the office of the IRO on October 13, 2003.

Sincerely,